

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

RONALD W. COLLINS,

Plaintiff,

v.

NEVADA DEPARTMENT OF
CORRECTIONS, *et al.*,

Defendants.

Case No. 2:22-cv-01795-CDS-BNW

ORDER

Before the Court is Plaintiff's motion requesting that the United States Marshals Service serve the Defendants listed in his amended complaint. ECF No. 48. In addition, he filed another motion requesting that the Court notify him of the contents of ECF No. 43, which has been filed under seal. ECF No. 49.

The parties are familiar with the factual and procedural posture of this case. As a result, the Court will only address the facts and background of the case as relevant to the instant motions.

I. Plaintiff's motion requesting that the United States Marshals Service serve the Defendants listed in his amended complaint (ECF No. 48)

On May 17, 2023, this Court ordered the Attorney General's Office to inform the Court whether it would accept service of process for any of the named Defendants in the original complaint (ECF No. 9). ECF No. 17. On June 27, 2023, the Attorney General filed a notice accepting service for Defendants Julie Williams, Joseph Swartz, Calvin Johnson, Frank Dreesen, James Scally, William Oblak, and Joseph Dugan. ECF No. 42. It did not accept service for Defendant Tanisha Mulhead Henry, but it filed her last-known address under seal. ECF Nos. 42, 43.

On June 6, 2023, this Court granted Plaintiff's motion to file an amended complaint. ECF No. 28. The same Defendants are named in the amended complaint. ECF No. 29.

Pursuant to Fed. R. Civ. P. 4(c)(3), the Court grants Plaintiff's request to have the United

1 States Marshals Service serve Defendants. But, given the Attorney General has previously
 2 accepted service of process for certain Defendants, the Court will order the Attorney General's
 3 Office to notify the Court with 10 days from this Order whether it will accept service of the
 4 amended complaint (ECF No. 29) for Defendants Julie Williams, Joseph Swartz, Calvin Johnson,
 5 Frank Dreesen, James Scally, William Oblak, and Joseph Dugan.¹

6 Plaintiff is notified that to serve Defendant Tanisha Henry, he must fill out form USM-285
 7 and follow the instructions below. Once the form is complete, the United States Marshals Service
 8 will serve Defendant Henry.

9 **II. Plaintiff's motion regarding the contents of ECF No. 43 (ECF No. 49)**

10 As mentioned in the section above, ECF No. 43 is the address of Defendant Tanisha Henry,
 11 which the Court ordered the Attorney General's Office to file under seal.

12 Plaintiff also seeks to have the Attorney General clarify whether it will accept service of
 13 process for the Jane and John Does and for "G Job."

14 Plaintiff must first identify the Jane and John Does in order for the Attorney General's
 15 Office to determine whether it can or will accept service.

16 As to "G Job," no such named Defendant appears listed in the amended complaint.

17 Thus, ECF No. 49 is granted only to the extent that the Court had explained the contents
 18 of ECF No. 43. Should Plaintiff seek any further relief, he must file the appropriate motion.

19 **III. Conclusion**

20 **IT IS ORDERED** that Plaintiff's motion at ECF No. 48 is GRANTED.

21 **IT IS FURTHER ORDERED** that ECF No. 49 is GRANTED in part and DENIED in
 22 part.

23 **IT IS FURTHER ORDERED** that the Clerk of Court must send Plaintiff one blank copy
 24 of form USM-285.

25 **IT IS FURTHER ORDERED** that Plaintiff shall have 15 days to fill out the required

26
 27 ¹ Given the Attorney General has requested an extension of time to answer the amended complaint (ECF No. 37),
 28 the Court assumes it will be accepting service of process in the same manner it did previously.

1 USM-285 form and send it to the U.S. Marshals Service. On the form, Plaintiff must fill in
2 Defendant Tanisha Henry's name and leave the address blank.

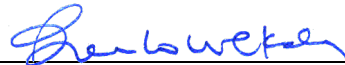
3 **IT IS FURTHER ORDERED** that the Clerk of Court is directed to issue a summons for
4 Defendant Tanisha Henry.

5 **IT IS FURTHER ORDERED** that the Clerk of Court serve a copy of this Order, the
6 issued summons, and the operative complaint (ECF No. 29) on the U.S. Marshals Service.

7 **IT IS FURTHER ORDERED** that upon receipt of the USM-285 form, the U.S. Marshals
8 Service shall (1) fill out the address (currently under seal at ECF No. 43) for Defendant Tanisha
9 Henry and, (2) in accordance with Federal Rule of Civil Procedure 4(c)(3), attempt service on
10 Defendant Tanisha Henry.

11 **IT IS FURTHER ORDERED** that, within 90 days of today's Order, the U.S. Marshals
12 Service shall file the summons returned as executed or a notice indicating why service has not
13 been effectuated.

14
15 DATED: July 5, 2023.

16 
17 _____
18 BREND A WEKSLER
19 UNITED STATES MAGISTRATE JUDGE
20
21
22
23
24
25
26
27
28